

March 9, 1984

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exist when you sue anybody else in the world, why that limitation is constitutional if the patient is given a way of removing himself from the act. Now the difficulty is that the way you remove yourself from the act is by notifying the doctor that you don't want to be included in the act and that has had a chilling effect, such a chilling effect on people removing themselves from the act that in my opinion it doesn't make the opt out provision workable and probably makes the whole act unconstitutional. I mean, after all, who is going to send a letter to his own doctor saying, "Doctor, I want you to treat me but I don't trust you enough and I want to let you know that if after treating me or my wife or my child, if you commit malpractice, I am going to be able to sue you for more than the cap of the act, more than the half a million or million dollars." I mean it is really a farce to set it up that way. I think if the Supreme Court does throw this statute out, that is going to be one of the principal grounds they will use. They are going to say, look, to require a patient to notify his own doctor that he don't want to be required...doesn't want to be covered by the act makes the whole bill constitutionally defective. Now the second problem we have had, of course, is we have had at least two instances around the state now where individuals have notified the doctors, then the doctors will refuse to treat them or their children. I know you have heard about the incident out in Kearney where an attorney notified the doctors his young child was sick and he couldn't receive...he couldn't find treatment for his child anywhere in that community, anywhere in that community because he had notified all of the health care providers that he didn't want to be included. Now again in my view, that makes the act unconstitutional. There is no point in imposing on the citizens of the State of Nebraska that kind of a requirement if they don't want to be covered by the act. This is an amendment that is a consumer amendment. It is good for the people in Nebraska. I would urge that you support it. Thank you.

SPEAKER NICHOL: Senator DeCamp, then Senator Schmit.

SENATOR DECAMP: Ah, Mr. President, I must respectfully oppose this amendment and I want to explain precisely why